EEOC Form 5 (11/09) CHARGE OF DISCRIMINATION Charge Presented To: Agency(ies) Charge No(s): This form is affected by the Privacy Act of 1974. See enclosed Privacy Act **FEPA** Amended Charge Statement and other information before completing this form. 451-2011-01950 **EEOC** Texas Workforce Commission Civil Rights Division and EEOC State or local Agency, if any Name (indicate Mr., Ms., Mrs.) Home Phone (Incl. Area Code) Date of Birth City, State and ZIP Code Street Address Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.) No. Employees, Members Phone No. (Include Area Code) SOUTHWEST RESEARCH INSTITUTE Unknown Street Address City, State and ZIP Code 6220 Culebra Road, San Antonio, TX 78228 Name No. Employees, Members Phospino. (Include Area Code) Street Address City, State and ZIP Code DISCRIMINATION BASED ON (Check appropriate box(es).) DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest RACE COLOR SEX RELIGION NATIONAL ORIGIN RETALIATION DISABILITY GENETIC INFORMATION OTHER (Specify) HAPA SE MENT CONTINUING ACTION THE PARTICULARS ARE (if additional paper is needed, attach extra sheet(s)): I began employment on (b) (6) Priva , I received a performance evaluation from my supervisor for the period of(b) (6) Privac and it indicated that I was meeting expectations. On or about May 2011, my supervisor informed me I received another performance evaluation from my supervisor for the period of May 31. 2011 through July 31, 2011 and I was told that I did not meet expectations. I was also told in this evaluation On (b) (6) Privacy , I complain to the Director and my supervisor about (b) (6) Priva I want this charge filed with both the EEOC and the State or local Agency, if any. I NOTARY - When necessary for State and Local Agency Requirements will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. I swear or affirm that I have read the above charge and that it is true to I declare under penalty of perjury that the above is true and correct. the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE METHIS DATE Sep 06, 2011 (month, day, year) Date Charging Party Signature

I swear or affirm that I have read the above charge and that it is true to

the best of my knowledge, information and belief.

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE

SIGNATURE OF COMPLAINANT

(month, day, year)

cooperate fully with them in the processing of my charge in accordance with their

Charging Party Signature

I declare under penalty of perjury that the above is true and correct.

Sep 06, 2011

Date

CHARGE OF DISCRIMINATION EEOC FORM 5

CONTINUATION SHEET

Qiang Wei vs. Southwest Research Institute

AMENDMENT:			
I wish to amend the original charge # 45	51-2011-01950 to r	eflect additional discr	imination. After
I complained to the Director and my sup	ervisor about (b) (6)	Privacy	
		My supervisor began s	ubjecting me to
a hostile work environment and (b) (6) Pr	rivacy	which was not part	of my iob
description. I believe my supervisor was			
S. I (b) (6) Privacy		to the best of my abili	
22, 2011, I received a letter from (b) (6)		, , , , , , , , , , , , , , , , , , , ,	
advising me that I was		or my inability or unw	illingness to
perform the (b) (6) work for which I wa			
my discharge is a pretext reason. I believ			
opposing unlawful employment practices			
1964, as amended.	V	, , 0	
	20		~
· i.	(b) (6) F	Privacy	<u> </u>
-1-1-1			
9/30/2011			
9 (30 / 20 11 Date	Chargir	ng Party's Signature	Ö
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U.S. Environmental Protection Agency

Office of Civil Rights

External Compliance and Complaints Program

COMPLAINT FORM

The purpose of this form is to assist you in filing an administrative complaint with the Office of Civil Rights, External Compliance and Complaints program. You are not required to use this form; a letter with the same information is sufficient. However, the information requested in the items marked with a star (*) must be provided, whether or not the form is used.

1.* State your name and address.	
Full Name:(b) (6)	and the second s
Address: (b) (6) Privacy	
Zip (b) (6)	
Daytime Telephone No.: Home:	
Evening Telephone No.: ()	
Work Telephone No.: ()	
Best Time to Call: Any time	
Email: (b) (6) Privacy	
If we will not be able to reach you directly, you may wish to give phone number of a person who can tell us how to reach you an information about your complaint:	
Name: (b) (6)	
Telephone No.:((b)	rec
Best Time to Call: Any time	OCT

3. If you have an attorney representing you concerning the matters raised in this complaint, please provide the following:
Name:
Address:
Zip
Telephone No.: (
4.* Person(s) and/or Group(s) discriminated against, if different from above:
Name:
Address:Zip
Telephone No.: Home:() Work:()
Please explain your relationship to this person(s).
5.* Business, Organization or Institution that discriminated:
Name: Southwest Research Institute
Any individual if known: (b) (6) Privacy
Address: 6220 Culebra Rd, P. O. Drawer 28510, San antonio
TX Zip <u>78228</u>
Telephone No.:()210-684-5111
5B.* Non-employment: Does your complaint concern discrimination in the delivery of
services or in other discriminatory actions of the department or agency in its
treatment of you or others? If so, please indicate below the base(s) on which you
believe these discriminatory actions were taken.
Race/Ethnicity:

✓ National origin: also RETALIATION, HARASSMENT
Sex:
Religion:
Age:
Disability:
5C.* Employment: Does your complaint concern discrimination in employment by the Department or Agency? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken.
Race/Ethnicity:
✓ National origin: also RETALIATION, HARASSME
Sex:
Religion:
Age:
Disability:
6.* To your best recollection, on what date(s) did the alleged discrimination take place?
Earliest date of discrimination: 05-31-2011
Most recent date of discrimination: (b) (6)
7. Complaints of discrimination must generally be filed within 180 days of the alleged

7. Complaints of discrimination must generally be filed within 180 days of the alleged discrimination. If the most recent date of discrimination, listed above, is more than 180 days ago, you may request a waiver of the filing requirement. If you wish to request a waiver, please explain why you waited until now to file your complaint.

happened, a sure to include effected diffe	xplain as clearly as possible what happened, why you believe it and how you were discriminated against. Indicate who was involved. Be de how other persons were treated differently from you or how you were rently than others. (Please use additional sheets if necessary and attacen materials pertaining to your
Please see att	achment.
	•
assistance fr taken action believe that y in #8), please	we enforce prohibit recipients of U.S. Environmental Protection Agency rom intimidating or retaliating against anyone because he or she has eith or participated in action to secure rights protected by these laws. If you you have been retaliated against (separate from the discrimination alleg e explain the circumstances below. Be sure to explain what actions you you believe were the basis for the retaliation.
•	
	
Please see atta	
	
	
	
	
Please see atta	achment. st below any persons (witnesses, fellow employees, supervisors, or own, whom we may contact for additional information to support or clari

Name:
Address:
Zip
Telephone No.: ()
11. Do you have any other information that you think is relevant to our investigation of your allegations?
Performance reviews from my former supervisor, Job description, Recent email communications, etc.
12. What remedy are you seeking for the alleged discrimination? Note that an investigation of your complaint may not be able to give you the remedy you seek, but this information could be useful to the investigation. Monetary remedy.

13. Have you (or the person discriminated against) filed the same or any other complaints with other offices at the U.S. Environmental Protection Agency?

Yes No V
If so, do you remember the Complaint Number?
Against what agency and department or program office was it filed?
Address:
Zip
Telephone No.: ()
Date filed:
Briefly describe what the complaint was about.
What was the result?
14. Have you filed or do you intend to file a charge or complaint concerning the matters raised in this complaint with any of the following? If yes, please select the office where you filed. If not, please skip this item.
Any other Federal Department or Agency
✓ U.S. Equal Employment Opportunity Commission
✓ Federal or State Court
Your State or local Human Relations/Rights Commission
Grievance or complaint office
15. If you intend to or have already filed a charge or complaint with an entity indicated in # 14 above, please attach a copy of that complaint or any additional information describing that complaint. Also, please provide the following information :
Entity filed with: U.S. Equal Employment Opportunity Commission
Date filed:

Case or Docket Number: 451-2011-01950
Date of Trial/Hearing:
Location of Agency/Court:
Name of Investigator:
Status of Case: Waiting for replies from the charged party.
Comments: I will file complaints to the CRC of the Department of Labor (DOL) soon.
17. While it is not necessary for you to know about aid that the agency or institution you are filing against receives from the Federal government, if you know of any Department of Justice funds or assistance received by the program or department in which the alleged discrimination occurred, please provide that information below.
I was working on an EPA funded project when I was discriminated and terminated. The principal investigator for the project is (b) (6) Privacy at Southwest Research Institute. (b) is the project manager at the EPA side. (6) Priv
18 We cannot accent a complaint if it has not been signed. Please sign and date this

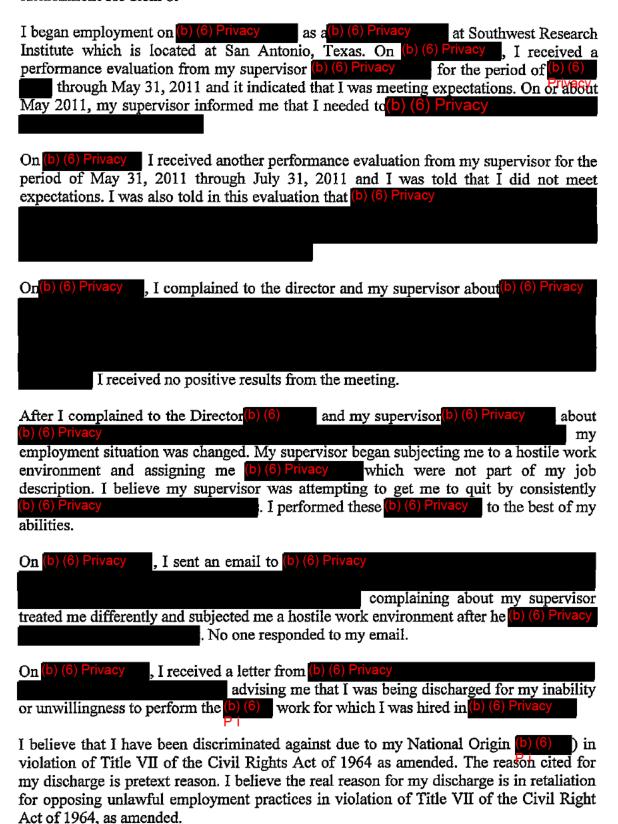
18. We cannot accept a complaint if it has not been signed. Please sign and date this Complaint Form below.

(b) (6) Privacy

(5) I 0 / 3 / 2 0 / 1 (5) (5) (5) (5) (6) Privacy

Note: Please feel free to add additional sheets to explain your concerns and attach any relevant documentation.

Attachment for Item 8:

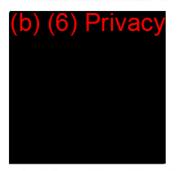


Attachment for Item 9:

I am an (b) (6) who has had over(b) (6) Privacy	experience and
I am an (b) (6) who has had over(b) (6) Privacy received my (b) (6) Privacy (b) (6) Privacy	. On the job
description I was given for the job interview, there is no such a require	rement which the
(b) (6) Privacy However, I was constantly assigned (b) (6) Privacy	<u>.</u>
in the project funded by United States Environmental P	rotection Agency
(EPA).	
On (b) (6) Privacy, I sent my supervisor an email to report the progr	
funded by US EPA and suggested him to(b) (6) Privacy wrote in the Email: (b) (6) Privacy	i. I
WISTO III IIIO EMILII.	
On (b) (6) Privacy , my supervisor responded my email sent on (b) (6	6) Privacy . He
wrote that (b) (6) Privacy	
On (b) (6) Privacy, I sent an email to the (b) (6) Privacy	(b)
consulaining about way gungarigan troot	(O)
complaining about my supervisor treate and subjected me a hostile work environment after he (b) (6) Privacy	sa me uniterentry
t. No one responded to my email.	
On (b) (6) Privacy, I received a letter from (b) (6) Privacy	1.6
advising me that I was being discharge or unwillingness to perform the (b) (6) work for which I was hired (b) (6)	
or unwinningness to perform the (b) (c) work for which I was infect (b) (c)	, i iivacy

SOUTHWEST RESEARCH INSTITUTE

±220 CULEBRA RD 78238-5166 ● P.O. DRAWER 28510 78228-0510 ● SAN ANTONIO, TEXAS. USA ● (210) 684-5111 ● WWW.SWRI,ORG



This letter is to notify you that we have made the decision to terminate your employment with the normal strongly to the assignments and work direction given by (b) (6) who is your supervisor, that there is no feasible way of making this situation work. This action is based on the recommendation of (b) (6) f, and has been approved in the structure of the struct

For the next 21 days, from (b) (6) Privacy through (b) (6) Privacy the Institute will offer to you severance pay of (b) (6), less applicable taxes, in return for your agreement to execute the Severance Agreement and General Release enclosed. You will also receive two weeks pay in lieu with your final pay check. The Institute will also agree to pay actual and reasonable relocation expenses if you wish to relocate elsewhere. You have the opportunity to resign if you wish and we will so inform other employers who may inquire. A Severance Plan is attached providing more detail on the benefits which are available. Staff members in Human Resources, and the Medical Benefits office are prepared to discuss with you the specific details of benefits.

I encourage you to discuss this offer with your family members, financial advisor, and attorney. If you decide to accept, sign the *Severance Agreement and General Release*, and return it to me or Human Resources by (6) (6) Privacy . Upon signature you will have 7 days to rescind your acceptance. A copy of the *Employment Termination Clearance Form* is attached to assist you in clearing the Institute.

Sincerely,

(b) (6) Privacy

(b) (6) Privacy, i, Vice President
Engines, Emissions and Vehicle Research Division
Southwest Research Institute

BEC/mcr

Enclosures

cc:







Southwest Research Institute® Performance Evaluation Summary

EMP. No. (b) (c) REVIEW PERIOD: From Opposes angest Areas of Job Performance: (b) (6) Privacy magnetic Areas of Job Performance: (b) (6) Privacy matter Performance Goal and Expectations: (b) (6) Privacy matter Performance Summary: As a starting (b) (6) Privacy matter Employee Satisfaction with Job and Work Relationships: (b) (6) Privacy matter and Long Term Career Goals: Short term career goal (b) (6) Privacy meets expectations (ME). privacy meets expectations (ME). privacy meets expectations (ME). (b) (6) Privacy meets expectations (ME). (c) (6) Privacy meets expectations (ME). Contain these contained of the privacy meets expectations (ME). (b) (6) Privacy meets expectations (ME). Contain these contained of the privacy meets expectations (ME). The privacy meets e	DATE: 6/13/2011		
metanities to Improve Job Performance: (b) (6) Privacy are Performance Goal and Expectations: (b) (6) Privacy arall Job Performance Summary: As a starting (b) (6) Privacy meets expectations (ME). arall Employee Satisfaction with Job and Work Relationships: (b) (6) Privacy relations (ME).	o.: (b) (6)		
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ve reviewed and discussed this evaluation with my immediate supervisor; I may or may not agree with			
	ith this evaluation. A		
b) (6) Privacy			



Southwest Research Institute® Performance Evaluation Summary

NAME: (b) (6)	DATE: 8/4/2011	
JOB TITLE: (b) (6) Privacy	EMP. NO.:	
<i>CC</i> :(b) (6)	REVIEW PERIOD: From(b) (6) Privacy	
Strongest Areas of Job Performance: (b) (6) Privacy		
	!	
Opportunities to Improve Job Performance: (b) (6) Privace		
Future Performance Goal and Expectations:		
(b) (6) Privacy		
Overall Job Performance Summary: As a (b) (6) Privacy	needs improvement (NI)	
Overall Employee Satisfaction with Job and Work Relation	nships	
) (
Short and Long Term Cureer Goals: (b) (6) Privacy	·	

(b) (6) Privacy Developmental Recommendations:(b) (6) Privacy Cost Center Head I have reviewed and discussed this evaluation with my immediate supervisor; I may or may not agree with this evaluation. Any additional comments I have are on the reverse side. Additional comments by Employee: Additional comments by Supervisor:

Describe:

Page 1 of 3 Date Printed: 107	7/2010 2 54 om	SOUTHWEST RES Personnel Red	SEARCH INSTITUTE	Requisition Number: (b) (6) Sorm Number: (b) (6) Privacy
Date Requisition Opene	ed: (b) (b)		Division Referral Program:	☐ Yes ☑ No
Name	Employ	ment Date		
Employment Status:			Title of Position: (b) (6) Privacy
		porary Student	(b)_(6) Privacy
		lergraduate 🛘 Graduate	Number of Openings: 1	
Special Consideration:	□Yes ☑ N		Org: (b) (6) Privacy	
If Yes: ☐ Limited Term ☐ Postdoc Researcher ☐ Visiting Scientist		Work Location: San Antor	nio, Texas	
Length of Term:			Recommended Close/Review	Date: ASAP
	6) Privacy icenses or Certificates: Years:	(b) (6) Privacy		
Treated Experience.		Description:		
		Description:		
	a SwRI position include	but are not limited to. (As Re	equired) Criminal History. Drug Fred terest, and Physical Examination.	e Workplace Program. Motor
Additional and/or Prefer	rred Knowledge, Skills,	and Abilities:		
		The second secon		
ob Functions/Tasks:				
(b) (6) Privacy				

Job Functions/Tasks:

(b) (6) Privacy

Special Requirements:

Conflict of Interest (CNWRA):

☐ Yes ☑ No

Driving (must be 18 or over):

☑ Yes ☐ No

Credit History Check:

☐ Yes ☑ No

Physical Examination:

Psychological (MMPI; other):

☐ Yes ☑ No

☐ Yes ☑ No

Explanation:

Required Testing:

☐ Clerical ☐ Electronic ☐ Chemical

☐ Mechanical Assessment

Page 2 013		SOUTHWEST RESEARCH INSTITUTE Personnel Requisition Form			Requisition Number: (b) (6) Form Number: (b) (6)		
Date Printed: 10/7/2010	2 54 pm						
General/Environmental:							
Avg. Hours Per Day/Week	8/40	Inside/Outside	🗹 Inside	Ø O	utside	Respirator required	☐ Yes Ø N
Shift Work Required	☐ Yes ☑ No	Temperature Extre	mes 🗆	Yes	☑ No	Wel/Humid Conditions	□ Yes ☑ N
Shift 🗆 Day 🗇 Evening	g 🗆 Midnight	Fumes, Odors, Du Conditions	sty 🗆	Yes	⊠ No	Chemical Exposure	☐ Yes ☑ N
Explanation							
Audio/Visual:							
Hearing Required	☑ Yes □ No	Far Vision	☑ '		□ No	Color Discrimination	☑ Yes □ N
Near Vision	☑ Yes □ No	Peripheral Vision	Ø 1		□ No	Depth Perception	EU TES LIN
Talking required	☑ Yes ☐ No	Presentation Skills	☑ ,	Yes	□ No		
Explanation:							
Physical Tasks: Bending	Frequency Occasional (11% -	- 33%)				Explanation	
Climbing/Balancing	Occasional (11% -	33%)					
Crouching/Stooping	Occasional (11% -	- 33%)		•			
Grasping/Fine Manipulation	Occasional (11% -	33%)					
Handling/Feeling	Occasional (11% -	- 33%)					
Lifting/Lowering	Occasional (11% -	- 33%)					
Noise Exposure (dBA Level/Hrs.)	Occasional (11% -	- 33%)					
Pushing/Pulling	Occasional (11% -	33%)					
Floor to Knuckie	Occasional (11% -	33%)					
Floor to Shoulder	Occasional (11% -	33%)					
Knuckle to Shoulder	Occasional (11% -	33%)					
Shoulder and Above	Occasional (11% -	33%)					
Other (Explain)					,		
Reaching	Occasional (11% -	33%)					
Sitting	Occasional (11% -	33%)					
Standing	Frequent (34% - 66	6%)					
Travel Requirements	Occasional (11% -	33%)					
Twisting	Occasional (11% -	33%)					
Vibration	Occasional (11% -	33%)					
Walking	Occasional (11% -	33%)					
Weight Requirements							
<= 15 lbs.	Occasional (11% -	33%)					
> 15 lbs. and <= 30 lbs.	Occasional (11% -	33%)					
> 30 ibs. and <= 50 lbs.	Occasional (11% -	33%)		•			
> 50 lbs.	Rare (< 10%)						
Works: Alone	Frequent (34% - 66	3%)					•

Works: In a Group

Frequent (34% - 66%)

Page 3 of 5
Date Printed:

SOUTHWEST RESEARCH INSTITUTE

Personnel Requisition Form

Requisition Number: Form Number:

(b) (6) Privacy er:

Recommended Recruiting Actions:

10/7/2010 2:54 pm

Approvais:

Approver Description

Requestor

Division/Department Management

Division/Department Management

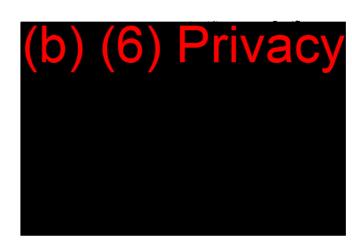
Executive Management

Executive Management

Human Resources

Human Resources

Human Resources



Time Stamp

7/6/2010 5:16:52PM

7/8/2010 2:08:23PM

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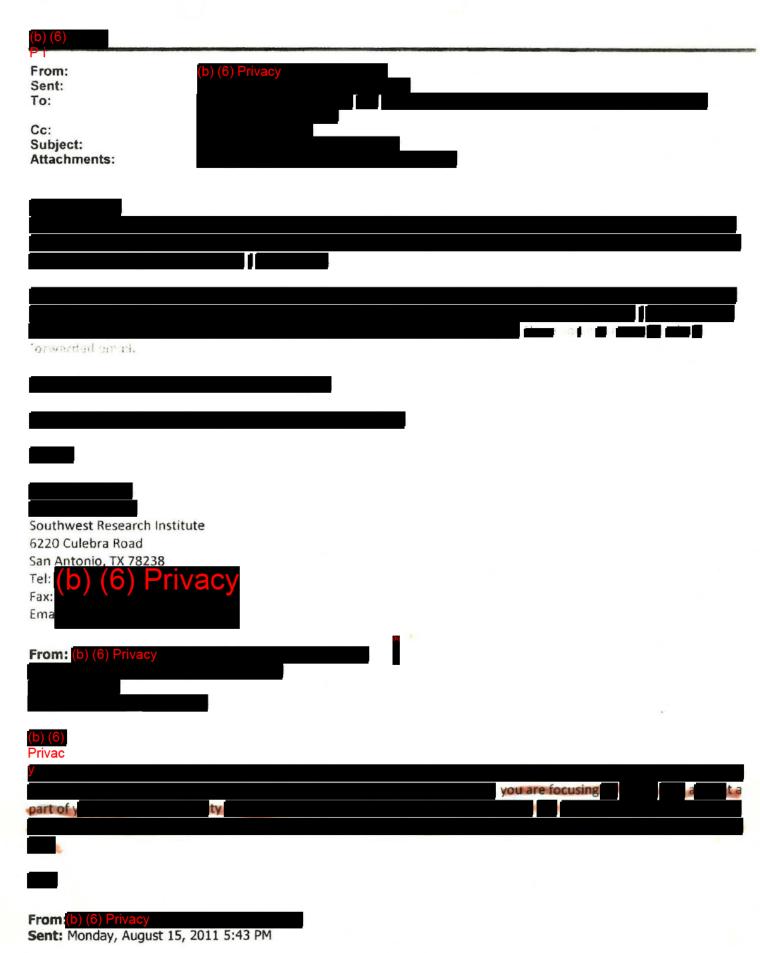
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7/9/2010 1:58:49PM

7/8/2010 3:01:24PM



Priva Southwest Research Institute 6220 Culebra Road San Antonio, TX 78238 Tel: Fax Ema Privac

From: (b) (6) Privacy

Sent: Monday, August 15, 2011 8:58 AM

то (b) (6) Privacy

(6)
Priva
cy

Southwest Research Institute
6220 Culebra Road
San Antonio, TX 78238
Telegraphy (6) Privacy
Fax
Em

From Sent To: Subj

(b) (6) Privac

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Southwest Research Institute 6220 Culebra Road San Antonio, TX 78238^{()(6)PW}



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From Sent To: Sub (6) Privacy

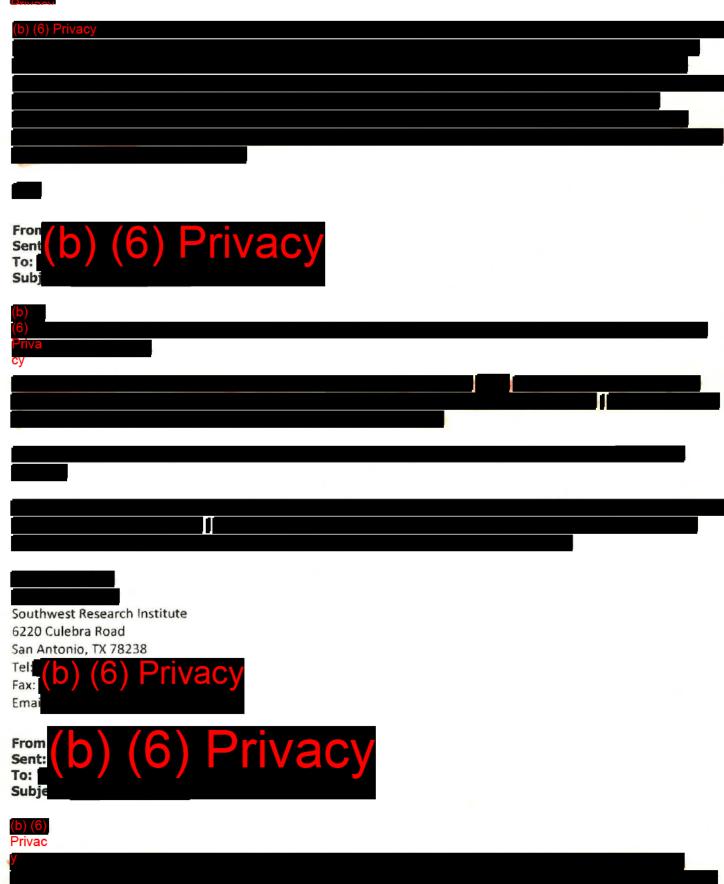
(6) Priva

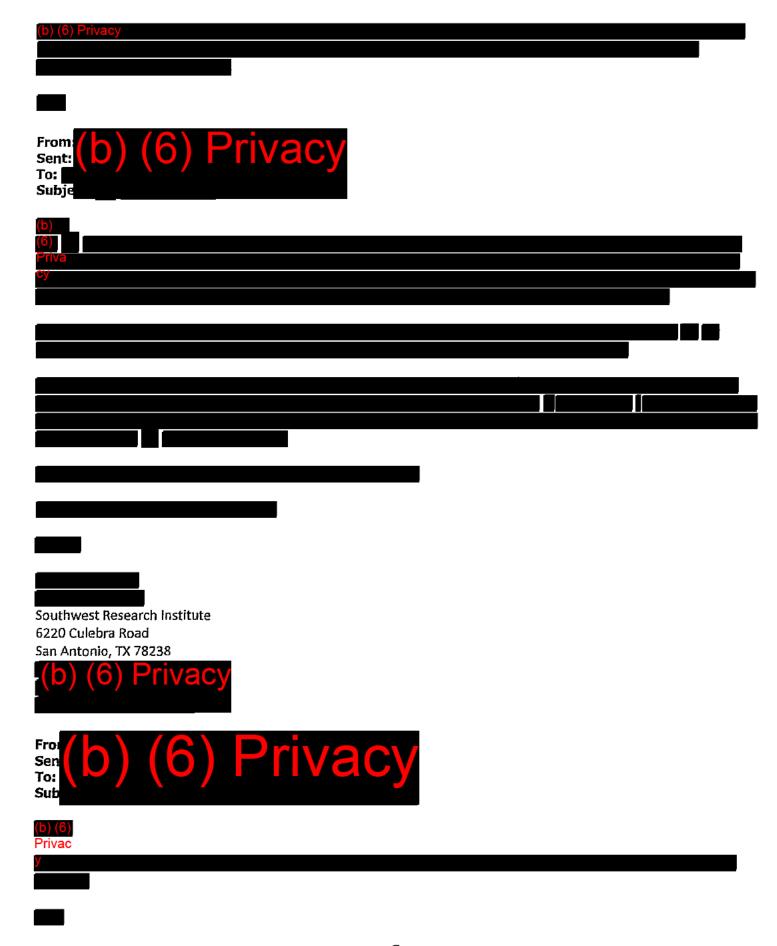
CV

Southwest Research Institute 6220 Culebra Road San Antonio, TX 78238

Tel:(b) (6) Privacy

From Sents (b) (6) Privacy Subjection (C)







From Sent: (b) (6) Privacy Subj.

(b) (6) Priva

Southwest Research Institute 6220 Culebra Road San Antonio, TX 78238

(b) (6) Privacy

From Sent To: Subj

(b) (6) Privac





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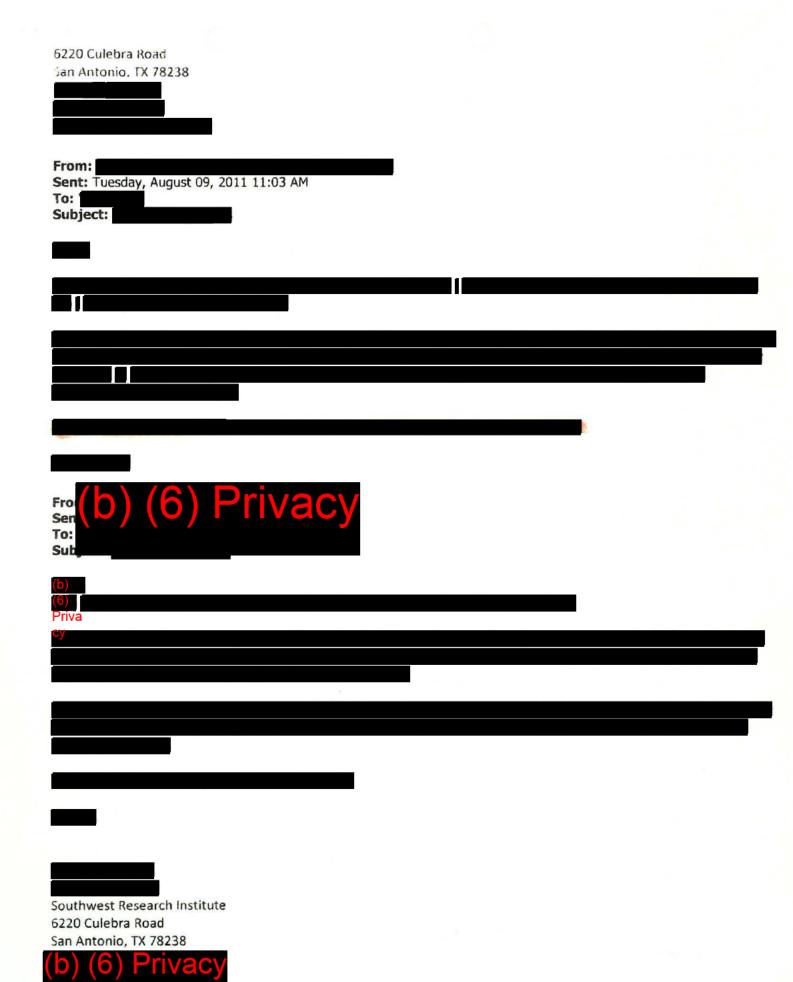


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Southwest Research Institute







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From Sent: To: 100 (6) Privacy

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Sent: Monday, August 08, 2011 10:54 AM

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